

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CARLOS ARMANDO ORTEGA,
Plaintiff,
v.
MARK RITCHIE, et al.,
Defendants.

Case No. 15-cv-04876-HSG (PR)

**ORDER GRANTING DEFENDANTS'
MOTION FOR EXTENSION OF TIME;
DENYING WITHOUT PREJUDICE
PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT**

Re: Dkt. Nos. 13, 16

Good cause appearing, defendants' motion for an extension of time to file a dispositive motion is hereby GRANTED. The deadline for defendants to file a dispositive motion is CONTINUED to **June 28, 2016**. Plaintiff shall file any opposition to defendants' motion within **twenty-eight (28)** days of the date the motion is filed. Defendants shall file a reply within **fourteen (14)** days of the date the opposition is filed.


The Court notes that Plaintiff has filed a "notice of summary judgment" accompanied by a "demand for jury trial." *See* Dkt. No. 16. Therein, Plaintiff states that he "has established essential elements showing triable issues of material facts" and asks that summary judgment not be granted to defendants. *See id.* at 5, 20. The motion appears to be premature as defendants have not yet moved for summary judgment. Further, the filing indicates plaintiff's misunderstanding of a summary judgment motion which is to show that there are no triable issues of material fact and to eliminate the need for a jury trial. Accordingly, plaintiff's motion for summary judgment is

1 DENIED without prejudice. He may re-file a motion for summary judgment after defendants have
2 filed their dispositive motion.

3 This order terminates Docket Nos. 13 and 16.

4 **IT IS SO ORDERED.**

5 Dated: 3/10/2016

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8 HAYWOOD S. GILLIAM, JR.
9 United States District Judge
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